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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEVEN RAYMON WALLER,

Defendant.

CASE NO. 2:23-CR-00122-DAD

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: September 26, 2023
TIME: 9:30 a.m.
COURT: Hon. Dale A. Drozd

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on September 26, 2023.
2. By this stipulation, defendant now moves to continue the status conference until December 12, 2023, and to exclude time between September 26, 2023, and December 12, 2023, at 9:30 a.m., under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes approximately 12,000 pages of discovery including surveillance videos. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

b) Counsel for defendant desires additional time to consult with her client, review the current charges and discovery, to conduct investigation and research related to the charges, and to discuss potential resolutions with her client.

c) Counsel for defendant believes that failure to grant the above-requested continuance would deny him/her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of September 26, 2023 to December 12, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: September 19, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ NICHOLAS M. FOGG
NICHOLAS M. FOGG
Assistant United States Attorney

1 Dated: September 19, 2023

/s/ NOA OREN

NOA OREN

Counsel for Defendant

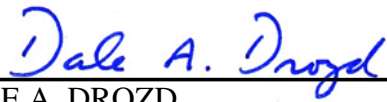
STEVEN RAYMON WALLER

5 **ORDER**

6 Pursuant to the stipulation of the parties and good cause appearing, the status conference
7 previously scheduled for September 26, 2023 in this case is continued until December 12, 2023, at 9:30
8 a.m. and time is excluded between September 26, 2023, and December 12, 2023, under Local Code T4.

9 IT IS SO ORDERED.

10 Dated: September 19, 2023

11 
12 DALE A. DROZD
13 UNITED STATES DISTRICT JUDGE